

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING
MAY 18, 2021**

John Eickman called the meeting to order.

Members present:

John Eickman, Lori Gee, John Cutler, Ed Myoshi, Christopher Tamulonis, Richard Campbell, Sarah Bledsoe, Craig Arco; Michael Cunningham, Attorney; Michelle Robbins, Planner; Scott Bryant, Engineer; Staff: Jackie Keenan, Clerk; Julie Beyer, Meeting Secretary.

The meeting began with the Pledge of Allegiance.

CHAIRPERSON COMMENTS

Mr. Eickman stated that the upcoming meetings were Tuesday, June 8, and Tuesday, July 13, 2021. He expects them to be in person with the new regulations that are coming out.

APPROVAL OF MINUTES:

April 20, 2021

MOTION made by Lori Gee, seconded by Ed Myoshi, to accept the April 20, 2021 meeting minutes as presented. Voted and carried unanimously.

DISCUSSION:

Montage, Route 52 (6556-00-802836)

Proposed cluster subdivision of a 385.5-acre parcel into no more than 122 new residential lots.

Richard O'Rourke, Amy Bombaderi, and Mark Cannuli were present.

Mr. Eickman stated the applicant is going to make an a presentation as there are new board

members that have not been informed of this application since it started several years ago.

Mr. O'Rourke stated a Finding Statement has been issued in connection with a proposal. They have examined alternates in detail. There was a collaboration with Scott Bryant in the Engineering Department to try to figure out the best way to provide for some of the necessary infrastructure, particularly water and sewer. Mr. O'Rourke stated his understanding is that this is essentially a continued Public Hearing. He stated the SEQRA process has concluded, and their next step would be to move towards preliminary subdivision approval.

Ms. Robbins stated if this is a continued Public Hearing, they need to make a motion to open it. Ms. Gee asked if this had been adjourned to a date uncertain, because if that were the case then it would need to have been advertised. Attorney Cunningham stated the applicant is here at the request of the Board to update the Board on its current progress. They will be progressing to a Public Hearing in the future, but he did not think this needed to be opened and treated as such at this point. They will re-advertise in the future and then the public will have the ability to comment.

Mark Cannuli stated that the Public Hearing on the preliminary was kept open years ago. He stated this project started in 2005 with a project much different than what is being presented today. It was a combination of senior housing and market rate housing with the unit count of over 300 units. In 2007 the applicant worked with the Town Board and that project did not go forward. Later that year, they decided to proceed with an as of right subdivision under CRD Zoning. In 2008 they

submitted a scoping document and started the draft EIS process. There were some Public Hearings in 2011 but they were still working under a Draft Supplemental. They got the Final Supplemental in early 2013 and there were several amendments. By June of 2017 they had a Notice of Completion. They finalized the draft and the Findings Statement was adopted in November 2019. What is being presented now is a 122 lot cluster subdivision. It was the preferred alternative that has worked through all of those years of planning and analysis. During that process they worked with the Town on designing concepts for dealing with the water and sewer. They have worked on sending sewer to a town sewer plant and at this point the best alternative is to run sewer from this project and the adjacent project, Summit Woods, to the Four Corners existing sewer treatment plant. This will have the least impact on the environment and has turned out to be the best alternative for both projects. The applicant also realizes there is the opportunity to take the wells that they have on site and interconnect them with the Town's system. That will be analyzed during this process to provide an additional water source in Town that could become a public water system. They are also improving the intersection of Route 216 and Route 52 to deal with that dangerous curve. The applicant is now showing a proposed traffic circle at Route 52 and Route 216. They are working with New York State Department of Transportation. That seems to be the DOT preference as opposed to a signal. The applicant is fine with either one. The main spine route enters the project and crosses one wetland into the first few lots. All the crossings in the development have been approved by the Army Corps of Engineers and are currently under review by the DEC. The second crossing brings you to a larger part of the development referred to as Phase 2. To the north of the spine road are the proposed wells which are high producing, high

quality wells. Those would be the ones that would get tied into the town system. There is a cul-de-sac proposed on the road and in between those lots are open spaces which accommodate much of the storm drainage for runoff. The last crossing is Phase 3 and there are a cluster of homes there. That connects to the south easterly border with the Summit Woods proposed development. That connection runs all the way through the development to intersect with Route 52. This will provide two intersections onto Route 52. The lots range in size of 80 feet wide to 90 feet wide and anywhere from 110 feet deep 220 feet deep. These are for three- and four-bedroom single family homes. He believes the home costs will be in the low \$500-\$500,000 for starting points. They can provide better details during the preliminary subdivision process if necessary. On April 29, the applicant submitted five copies to the Town of a 66-page plan set that provides all the details and the grading. He does know they will be getting questions and comments from the Town Professionals. They will be addressed as they move forward. Tonight was just for an overview so that all of the Board members were aware of the status of this application. The Army Corps permit for the Forced Main Application line that would fo up Route 216 and Phillips Road was approved in January of 2019. They dealt with a FEMA issue with the local floodplain administrator. They do have FEMA approval. They are working with Mr. Garan from Summit Woods and they have expressed their willingness to participate in any needed studies to evaluate the capacity of the existing Four Corners Wastewater Treatment Plant.

Mr. O'Rourke stated that with the continued Public Hearing, it will be necessary for the applicant to comply with the Zoning Code and place a sign on the property. They will take care of all of the

procedural prerequisites for it to be scheduled for a continuance.

Mr. Cannuli stated they do have their documents posted online and they can send those to the new members of the Board so they can be reviewed as well. The sign was removed years ago because the applicant was asked to. They will order a new sign and put it up as soon as it is necessary.

Mr. Eickman asked if there were any questions or comments from Board members.

Ms. Gee asked if there was any change to the plan regarding what will happen to the shared connection reliant on which application, Montage or Summit Woods, goes first. Mr. Cannuli stated they will run essentially the same. This applicant has proposed to run sewer down through the main spine to connect. DEC thought their location for a regional treatment plant was best. When both applicants decided to go together and to connect to the force main where it converges at 216 and heads up Philips Road, they will both have a pump station to a certain point and then it pumps up there. It does not change the underground gravity sewer system. It does leave an open parcel in the front of the property that no longer needs to be a wastewater treatment plant and the same happens with the adjacent site. Ms. Gee asked if there was some sort of agreement for shared costs with whichever development is going in first and putting all of the piping down Route 216. Mr. Cannuli stated they still have a Developer's Agreement with that application. The Developer's Agreement will provide at least an emergency connection if one application were to proceed before the other application. Both developers have the right to use the neighboring property.

Mr. Eickman thanked the applicants for their time and explanations.

PUBLIC HEARING:

#2021-007 Forestieri, 8 Country Lane (6356-01-408655)

Proposed 3-lot subdivision on 4.34 acres in the R-1 Zone.

Michael Gillespie was present.

Mr. Eickman stated this public hearing was going to be opened but will be adjourned until next month.

MOTION made by Lori Gee, seconded by Chris Tamulonis, to open this Public Hearing. Voted and carried unanimously.

Mr. Gillespie stated the subdivision is coming in off of Country Lane. It has been advertised as a Public Hearing. They made the initial presentation to the Board last month. The plan was effectively acceptable to the Board said that there were some things that needed clarification. One of them was the location of the wetland on the rear side of the parcel. They did get that delineated. It did not affect the lot count for the project. They did go out and perform the soil testing, percs and deeps and they have the application moving forward. The soil areas that they show for septic are going to be acceptable.

Mr. Eickman asked where they stood on the delineation of the wetland and Mr. Gillespie stated they have provided flagging on the backside of the property. It is shown on the plan along with its

buffer.

Ms. Robbins asked if the Highway Department has been out yet. Mr. Gillespie stated they did call and they are in the process of scheduling that. There are no sight distance issues but they will make sure a walk-through happens with the Highway Superintendent prior to final. Country Lane is a short cul-de-sac that has two houses at the ends. This would add an additional three. It is a 30 mile an hour speed limit so he does not see this being an issue.

Mr. Gillespie stated they sent out the Public Hearing notice the same way they have sent out prior notices with the meeting being at the Town Hall. He does understand there was a bit of potential issue with the neighboring property owner who came to the Town Hall. When they scheduled this they did not know whether or not it was going to be a Zoom meeting. He hopes the Board does not hold this against the applicant as a default in the advertising. The neighbor with concerns does have the ability to login. Mr. Gillespie stated he also does not want to put his project in jeopardy. This protocol has been going on for at least four or five months and his concern is that there could be other applications who advertised the same way based on past protocol. They would like to close this Hearing tonight if possible. Attorney Cunningham stated the Hearing does need to be opened and adjourned because that is part of the notice that is very important in regard to the location of the meeting. Mr. Gillespie asked if he was being guaranteed that all other projects that received approval in the last four months have indicated on their hearing notices that it is subject to a Zoom meeting. Attorney Cunningham stated he did not have that information in front of him

at this moment. Mr. Eickman stated that there have been no applications that have public indicating that there could be a problem up to this point. This application has one or two possibly that did come to Town Hall for this Public Hearing. He stated this application would need to be kept open until next month. Attorney Cunningham stated that he understands this is a small project but feels they should air on the side of safety and keep the Hearing open for another month. Mr. Gillespie stated he just wants to be sure that his application is not being on unfairly penalized. He did hear at the beginning of the meeting they spoke about next month being an in-person meeting. Attorney Cunningham stated he does not feel the applicant is being penalized because no one on the Board has stated they are going to vote against this project based on a default of the notices. The Public Hearing is just going to be adjourned one month. Engineer Bryant asked if this was a wooded lot. Mr. Gillespie said primarily yes. Engineer Bryant stated that the applicant cannot remove trees until after October anyway. Mr. Gillespie stated he just wants to make sure that his applicant is not being treated any differently the applicants of the past during this protocol. Attorney Cunningham stated this applicant is the only one that they know of that did not do the notice properly.

Mr. Eickman asked if there were any members from the public to speak for or against this application.

Henry Vasquez stated a letter he received said they would get a picture of how the subdivision would be done and he did not get that. He stated his concern is privacy as he is the property right next to it. He wanted to know the hours of construction and to be sure that it wouldn't disturb the

neighborhood. Mr. Gillespie stated they are proposing a three-lot subdivision. It is in tune with what else is out there. These are 1 acre lots. The construction will just be the homes themselves. They are still working on the Department of Health approval, so they are a few months out from starting that. The applicant is proposing to construct the homes himself. Based upon the map, this neighbor's property is approximately 150 feet away from that closest point of construction. There is an existing unpaved road that goes to the gun club between these two pieces of property. Mr. Gillespie believes the homes will be based upon market consideration. Presumptively there will be no construction work being done on Sundays. If there is a caveat the Board wants placed on the map, he does not believe there would be an issue with that. The project meets all zoning considerations. Mr. Vasquez stated the section of road by his house is very bad. He asked if there was any consideration to repaving the road after all of the heavy equipment goes through for this construction. Mr. Gillespie stated he could have a discussion with the Highway Superintendent when they are looking at access points. He stated there are a lot worse roads in town. Mr. Vasquez stated he has a pool on the side towards the construction. He is concerned about maintaining privacy. Mr. Gillespie stated the location of this home is on the other side of the lot from Mr. Vasquez's home and pool. He's not sure what type of home it will be. They will not go beyond the limits of disturbance and it is at least 100 feet away from the existing driveway.

Peter Sobek lives at 12 Country Lane. He stated he is in support of holding the Public Hearing open until the next month so people can come in person to discuss this.

Paul Rodriguez stated he has the same concerns regarding privacy. He stated his property has a floodplain behind this proposed project. He asked how far back into the slope area this project would go. He asked if the plan was to have the residence at the peak part of the slope. Mr. Gillespie stated this is a 4.5 acre parcel with extensive floodplain on the backside. They are keeping the homes closer towards Country Lane to keep them away from the slope.

Mr. Rodriguez stated there is a gravel road there now but it is shared. He is unsure if that will be impacted in any way. Mr. Gillespie stated that area is north of Lot 3. There is an easement and they are staying away from it. It will remain as is.

Mr. Eickman asked if there was anyone else to speak for or against this application. There was no one. He asked if there were any questions or comments from Board members or Town Professionals. There were none.

MOTION made by Ed Miyoshi, seconded by Lori Gee, to adjourn this Public Hearing until June 8, 2021. Voted and carried unanimously.

AJOURNED PUBLIC HEARING:

#2018-010 Morrow Crane, 216 Lime Kiln Road (6455-00-260640)

Proposed 26,000 square foot building and storage yard for the assembly, maintenance, and distribution of mobile industrial cranes for construction.

Richard O'Rourke and Terry Hahn were present.

Mr. Eickman stated that this Public Hearing was closed at the last meeting. He asked if there were any changes since the last time this was before the Board. He also asked the status of the variance the applicant had been working on.

Mr. O'Rourke stated the application remains the same. He stated he believes they are at the point where a determination of significance under SEQRA would be appropriate.

Mr. Eickman asked if there were any comments or questions from Board members or Town Professionals. There were none.

Mr. Eickman stated there was a negative declaration.

The name of the action is Morrow Crane. The proposed action would result in the construction of a crane equipment yard with a 26,000 square foot administrative building and associated parking and stormwater facilities located in the I-1 district at 216 Lime Kiln Road. The existing Town brush drop off area located on the site would remain. This is an unlisted SEQR action. The following documentation was analyzed in making this negative declaration:

1. A full EAF
2. Supplemental Part III Information
3. A Storm Water Prevention Pollution Plan
4. Other
 - a. Bog turtle Mitigation Plan

The environmental issues identified as prevalent include the following:

1. Land Use Zoning and Public Policy
2. Natural resources
3. Surface Waters and Wetlands
4. Stormwater

5. Visual
6. Other

The proposed action would not be expected to result in any significant adverse impacts. Based on a review of 6NYCRR 617.7, there appear to be no other significant adverse environmental impacts.

MOTION made by Lori Gee, seconded by Chris Tamulonis, to approve this Negative Declaration. Voted and carried unanimously.

RESOLUTION OF FINAL SITE PLAN APPROVAL

NAME OF SITE PLAN: Morrow Crane

NAME OF APPLICANT: Morrow Equipment Company, LLC

LOCATION: 216 Lime Kiln Road (132800-6455-00-260640)

Resolution Offered by Planning Board Member John Eickman

WHEREAS, the above referenced applicant applied to the Town of East Fishkill Planning Board for site plan approval for a crane equipment yard and a 26,000 square foot administrative building with associated parking and stormwater facilities located in the I-1 district at 216 Lime Kiln Road; and

WHEREAS, the applicant has applied for a 20-foot height variance to maintain an outdoor storage pile of 30 feet in an industrial zone; and

WHEREAS, the applicant received approval from the Architectural Review Council on 2/4/2021; and

WHEREAS, a Public Hearing on the site plan was opened on April 20, 2021 and closed on May 18, 2021; and

WHEREAS, the proposed action is an unlisted action under SEQRA; and

WHEREAS, the Planning Board declared their intent to be lead Agency on February 16, 2021; and

WHEREAS, the Planning Board adopted a Negative Declaration on May 18, 2021;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board approves the site plan titled “Morrow Equipment New Building,” prepared by LADA., P.C. Land Planners, dated October 30, 2020 and last revised 3/30/21 subject to the following conditions:

1. Satisfactory resolution of the comments in the CPL site plan memo dated 4/27/21.
2. Approval of a full SWPPP by the Town’s Consulting Engineer.
3. Approval of a 20-foot height variance to maintain an outdoor storage pile of 30 feet in an industrial zone from the East Fishkill Zoning Board of Appeals.
4. Approval from Dutchess County Department of Behavioral & Community Health (DCDBCH).
5. Satisfactory resolution of any NYSDEC conditions related to Bog turtle mitigation on the site and NYSDEC approval of the Bog turtle mitigation plan.
6. An escrow in the amount of \$7,500 to be replenished as needed for an environmental monitor for the duration of on-site construction activities related to stormwater management, erosion control and threatened and endangered species.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Planning Board shall cause a copy of this Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Planning Board Member John Cutler

The votes were as follows:

Board Member Lori Gee	Aye
Board Member Craig Arco	Abstain
Board Member Ed Miyoshi	Aye

Board Member Sarah Bledsoe	Aye
Board Member Christopher Tamulonis	Aye
Board Member Richard Campbell	Aye
Chairperson John Eickman	Aye

DECISION:

#2020-023 Pawfect Pupps, 92 Hosner Mountain Road (6556-00-332360)

Proposed animal care business in a B-1 Zone

Jessica DeRosa was present.

Mr. Eickman asked the applicant to please give a brief overview of the project for new Board members.

Ms. DeRosa stated she has been working with the Town to open a doggie day care. This is a 5000 ft.² existing building on 1.75 acres of land. They have gotten all of the variances for the property lines. They are looking for this to be a daily daycare with specific drop-off and pick-up times. It will be very structured. The dogs will be given supervised free play and outdoor time. It will be in small groups so there will not be a lot of dogs outside at one time. There will also be enrichment activities to keep them mentally and physically stimulated without overstimulating them.

RESOLUTION OF AMENDED SITE PLAN APPROVAL

NAME OF SITE PLAN: Pawfect Paws

NAME OF APPLICANT: Jessica DeRosa

PROPERTY OWNER: Michael Maiuzzo

LOCATION: 92 Hosner Mountain Road

GRID No: 6556-00-332360

Resolution Offered by Planning Board Member John Eickman

WHEREAS, the above referenced applicant applied to the Town of East Fishkill Planning Board for a change of use and amended site plan approval for a dog care business with an outdoor run; and

WHEREAS, the proposed doggie day care would be defined as a kennel and subject to the General Regulations for Kennels per § 194-55.1 of the Town of East Fishkill Zoning Code; and

WHEREAS, the Zoning Board of Appeals approved the request by Jessica DeRosa of Pawfect Paws for a 120' frontline variance, a 101' sideline variance, and a 114' sideline variance from the requirements of Section 194-55.1 of the Zoning Ordinance;

WHEREAS, the proposed action is a Type II action under SEQRA and no further review is required;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board approves the change of use and amended site plan to allow a dog care business in the existing metal building as shown on the Amended Site Plan titled "MAM Realty" prepared by Cronin Engineering and dated April 24, 2014 and on the "Property Survey for Jessica DeRosa" dated March 12, 2021 and subject to the following conditions:

1. Installation of fenced dog run on the south side of the property to the rear of the metal building and away from existing residential structures.
2. Sound absorbing material shall be installed within the building and around the perimeter

of any outdoor runways and exercise pens.

3. An escrow of \$1,500 shall be held by the Building Department in escrow for one year from the date of certificate of occupancy to be used to hire an acoustical engineer or qualified noise expert should there be any discernable noise emanating from the Property or other complaints.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Planning Board shall cause a copy of this Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Planning Board Member: Richard Campbell

The votes were as follows:

Board Member Lori Gee	Aye
Board Member Craig Arco	Abstain
Board Member Ed Miyoshi	Aye
Board Member Sarah Bledsoe	Aye
Board Member Christopher Tamulonis	Aye
Board Member Richard Campbell	Aye
Chairperson John Eickman	Aye

DECISION:

#2020-035 Stone Ridge Commons, Route 52 and Palen Road (6356-04-731304/776321)

Applicant is requesting approval to construct two 3-story multi-family apartment buildings with 51 units and associated parking.

Richard O'Rourke, Kevin Lund, and Amy Bombardieri were present.

Mr. Eickman stated they have closed the Public Hearing. He asked if there were any updates on the application.

Amy Bombardieri stated nothing has changed. They are still working with the Town on the sewer design. They do have a submission into the DOT for their approval of the proposed off-site sidewalk but they have not heard back yet.

Mr. Eickman asked if there were any questions or comments from Board members or Town Professionals. There were none.

Mr. Eickman stated there was a negative declaration.

The name of the action is Stone Ridge Commons. The proposed action would result in the construction of 51 multi-family apartments and associated parking and stormwater facilities on two parcels totaling 6.65 acres. This is an unlisted SEQR action. The following documentation was analyzed in making this negative declaration:

5. A full EAF
6. Supplemental Part III Information
7. A Traffic Study
8. A Storm Water Prevention Pollution Plan

The environmental issues identified as prevalent include the following:

7. Land Use Zoning and Public Policy
8. Natural resources
9. Visual Resources
10. Community Services
11. Storm water
12. Traffic

The proposed action would not be expected to result in any significant adverse impacts. Based on a review of 6NYCRR 617.7, there appear to be no other significant adverse environmental impacts.

At this point Ms. Gee asked if there was any documentation about the nature of the original commercial buildings and if there were any requirements in the approval of that plan that required them to be a certain type of architecture. Ms. Robbins stated she did have people look through minutes from prior meetings and they did not find any restrictions listed related to the architecture. Ms. Gee stated that this is on a state road and does seem like an appropriate use for that area. There is also this type of housing need in the community. What she is struggling with is the appearance of the building. There might have been intention to have buildings similar to this nearby but none of those exist at this point. This is a residential building not a business building. She is struggling with the visual resources portion of the Negative Declaration. Mr. Miyoshi stated he is struggling with the thought that this project is too big for those two lots. He is also concerned about the left lane out onto Palen Road being addressed. He thinks across three lanes of traffic is going to be a dangerous situation that will lead to many accidents in that area even with the proposed improvements. Ms. Gee stated that the traffic study and the feedback from the traffic professionals don't support that concern. She does share that concern as well. Mr. Campbell stated the traffic studies show that it is feasible for that motion to take place. Mr. Eickman stated it was also approved by the County. Mr. Campbell stated he does not look at these buildings as part of the community behind it. There is no accessibility between them other than the emergency access. He sees them as buildings on Route 52. Ms. Gee stated the zoning allows for a three-story so that is not her concern. She just feels they could build a three-story

building that looks a little bit more residential. She does not believe these buildings look residential. It would have less of a visual impact if they look more residential. Mr. Campbell did state that aesthetics are individual choices. He does feel that the more modern look is aesthetically pleasing and even though people would not have thought the Orthopedics Associates building would fit in, it looks good where it is. The adult community that is being proposed has a totally different look as well. Mr. Eickman stated that he does find this to be an attractive project and beauty really is in the eye of the beholder. He stated they are looking to make sure there is no significant adverse effects to the neighboring character and surrounding uses. Ms. Gee stated she wanted to make sure there was nothing in the prior approval that required a specific look or façade.

Ms. Gee asked if there was anything on the landscape plan that would treat this like a commercial plan stating that trees would have to be replaced with commensurate types of plantings if they failed. Ms. Robbins stated there is nothing in the resolution currently, but they can add a condition. Sometimes there is a five-year condition. If it is a project that has an actual site plan, the applicant has to keep to that site plan. Mr. Campbell asked if the applicant could be required to post a bond. Attorney Cunningham stated that could be a condition added to the resolution. Ms. Gee asked if the resolution needed to have a condition that the landscaping remains as proposed with a five-year plan or if it needed to be on the site plan. Ms. Robbins stated that would be the Board's decision. Mr. Campbell stated he would hate to see them get this far in the plan and then have the trees all die as they were a big part of the plan and the issues

with the neighbors requiring that buffer. Attorney Cunningham stated that this could be a bond as it could be a mitigation through SEQRA. Mr. Eickman asked who would determine the amount of that bond. Attorney Cunningham stated that could be determined at a later date. He said it can be done as “an amount not less than”. Engineer Bryant asked if it had to be a bond, or they could just be held in violation of their site plan. Mr. Campbell asked if a violation is just paying a fine. Paying the fine would not be forcing them to replace the trees. Engineer Bryant explained that a payment of a fine does not remedy the violation. They would have to remedy the violation. Attorney Cunningham stated that having a bond in place would accomplish what the Board is looking to do. If the bond is for 10 years, he believes they would see signs of failing plantings prior to that. Ms. Gee stated she is comfortable with putting a bond in place.

Mr. Eickman asked if there is any other discussion regarding the Negative Declaration.

MOTION made by John Cutler, seconded by Richard Campbell, to approve this Negative Declaration. Voted and carried unanimously.

RESOLUTION OF SITE PLAN AND SPECIAL PERMIT APPROVAL

NAME OF SITE PLAN: STONE RIDGE COMMONS APARTMENTS

NAME OF APPLICANT: 1525 Route 52 Partners LLC

LOCATION: Route 52 and Palen Road, Hopewell Junction, NY

GRID NUMBERS: 132800-6356-04-731304/776321

Resolution Offered by Planning Board Member John Eickman

WHEREAS, the above referenced applicant applied to the Town of East Fishkill Planning Board for a Transitional Zone Special Permit and site plan approval to allow the development of 51 apartments in two 3-story multi-family apartment buildings, 105 parking spaces, stormwater management practices, and associated site amenities on two parcels totaling 6.65 acres (Lot 22 is 3.24 acres and Lot 23 is 3.43 acres) located at Route 52 and Palen Road; and

WHEREAS, the proposed project meets the conditions of the Transitional Zone Special Permit per Section §194-46.10 of the East Fishkill Zoning Code; and

WHEREAS, Lots 22 and 23 will be combined upon site plan approval;

WHEREAS, the proposed project was approved by the Town’s Architectural Review Council; and

WHEREAS, the Planning Board held Public Hearings for the Stone Ridge Commons special permit and site plan on September 8, 2020; November 17, 2020, January 19, 2021, and March 9, 2021 for consideration of the granting of a Special Permit per §194-46.10 of the East Fishkill Zoning Code and for Site Plan approval;

WHEREAS, an additional 10-day public comment period was provided after the close of the public hearing on March 9, 2021;

WHEREAS, the action is considered an unlisted action under SEQR;

WHEREAS, the Planning Board declared their intent to be Lead Agency on 3/9/21;

WHEREAS, a negative declaration was adopted by the Planning Board on May 18, 2021;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board approves the Special Permit and Site Plan titled “Stone Ridge Commons” prepared by Day & Stokosa Engineering, P.C., dated 9/27/19 and last revised 4/19/21; with the following conditions:

1. Satisfactory resolution of the comments in the CPL site plan memo dated 5/12/21;
2. Site ingress and egress to be shown on site plan as approved by the New York State Department of Transportation (NYSDOT) and Dutchess County Department of Public Works (DCDPW);
3. Approval of a full SWPPP by the Town’s Consulting Engineer;

4. Applicant to clean out the existing stormwater pond on the property;
5. Approval from Dutchess County Department of Behavioral & Community Health (DCDBCH).
6. Coordinate with Town on water and sewer connections and extensions to Palen Road including easements for potential future connections.
7. Prior to construction applicant to install berm and landscape screening between the parking lots behind Building 2 and the adjacent residential lot.
8. Sidewalk contribution to the Town in the amount of \$100,000 for a future sidewalk connection to John Jay High School
9. Recreation fee in the amount of \$204,000.
10. Fairshare contribution to the Route 52 Traffic Improvement District in an amount to be determined.
11. A bond in an amount to be determined by the Town Planner and Town Engineer to guarantee landscaping for 10 years.
12. A note shall be added to site plan stating that all landscaping will be maintained per the site plan approval unless otherwise amended by the East Fishkill Planning Board.
13. An escrow in the amount of \$7,500 to be replenished as needed for an environmental monitor for the duration of on-site construction activities related to stormwater management and erosion control.

BE IT FURTHER RESOLVED, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Planning Board shall cause a copy of this Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Planning Board Member Richard Campbell

The votes were as follows:

Board Member Lori Gee	<u>Yes</u>
Board Member Ed Miyoshi	<u>No</u>
Board Member Sarah Bledsoe	<u>Yes</u>
Board Member Christopher Tamulonis	<u>No</u>
Board Member Richard Campbell	<u>Yes</u>
Board Member Craig Arco	<u>Abstain</u>
Chairperson John Eickman	<u>Yes</u>

CERTIFICATION

CORRESPONDENCE:

ARB final review of plaza at 198 Route 216 (Stormville Plaza)

ADJOURNMENT

MOTION made by Ed Miyoshi, seconded by Lori Gee, to adjourn the Planning Board meeting. Voted and carried unanimously.

Respectfully submitted:

_____,
Julie J. Beyer, Meeting Secretary
East Fishkill Planning Board